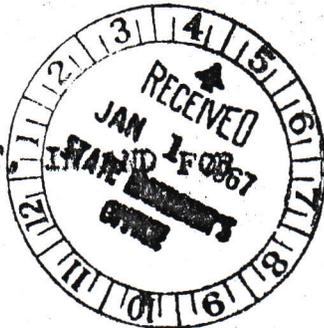


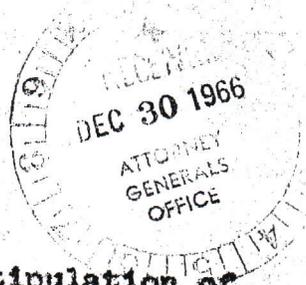
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT,
SALT LAKE COUNTY, STATE OF UTAH



NORTH POINT CONSOLIDATED
IRRIGATION COMPANY, et al.,
Plaintiffs,
-vs-
NORTH JORDAN IRRIGATION
COMPANY, et al.,
Defendants.

NOTICE OF TAKING DEPOSITION

Civil No.



Notice is hereby given that pursuant to stipulation of counsel and notice, the plaintiffs represented by the undersigned attorney will take the deposition of Edward L. Gillmor on Thursday, January 5, 1967, at 2:00 p.m. at Mr. Gillmor's home, 962 South 5th East, Salt Lake City, Utah, relating to water rights claimed by plaintiffs.

Dated this 28th day of December, 1966.

/s/ E. J. Skeen
Attorney for Plaintiffs
522 Newhouse Building
Salt Lake City, Utah 84111

This is to certify that a copy of the foregoing Notice of Taking Deposition was mailed this 29th day of December, 1966 to:

Richard H. Nebeker
Attorney at Law
400 Kennecott Building
Salt Lake City, Utah

Robert B. Porter
Attorney at Law
1407 West North Temple
Salt Lake City, Utah

Noyle & Noyle
Attorneys at Law
Deseret Building
Salt Lake City, Utah

Parsons, Dahle, Evans & Latimer
Attorneys at Law
Kearns Building
Salt Lake City, Utah

Dallin W. Jensen
Ass't. Attorney General
State Engineer's Office
State Capitol Building
Salt Lake City, Utah

Jarvis Bishop

Deposition Edward
Atty Ed. Skeen

Gillmore
967 So 5th East

Richard (Dick) Mabeke - North Point Consolidated
Jim Lee Kennecott Copper Corp
Harold D. Donaldson STATE ENGINEER

86 yrs old Jan 8, 1978 TIN RIV,
Born Salt Lake County (sec 21 on map)

Exhibit A

Lived in Salt Lake Co. all life. at old home.

Occupation Farming + stock raising (all life.)
sheep business SINCE 1899
prior to 1900

Knowledge of surplus canal SINCE 1900
(was called 12th So. - Now its 21st So) Same place.

Operated where present ^{SL} Airport is located.

sec 25 TIN RIV 1880 - 1890 -
into NE' cor' - div. Head gate - from surplus
canal to sec 25

div to NORTH water for West side gum club - (black slough)
div to West Bailey lakes area - (goggin Drain westward)
was small ditch from surplus canal to
goggin drain in 1890's.

Water spread out by surface ditches -
1 foot drop per mile.

1890's

Dry practice along Bailey lake (goggin Drain)
made sheep pasture, flooded at high water times, cut grass -

age

Gage Drain - ?

Black Slough - Northward -
Narrower Pond -

They used sheep -
Gillmore's used high ground for grazing

along the North boundary sec 13
used to spread surplus canal water -

one family there before 1890 -
surplus broke into several channels to
irrigate lands -

North of Gage Drain - Water used for
irrigation after the surplus canal was built
lands irrigated

used then purchased.
also used land (secs) for sheep - Gillmore
purchased

from drain sec 25 water went to west
since 1894 Gillmore's pasture sheep -

Jordan River 17th No. 17W

sec 2122 T24R14

dam 9th No. ditches 1/2 mile on both sides

Gillmor 17th North - dam back water up to
9th North -

another old dam north of map, sec 28

dam back river up to Hastings Crossing

Effect on adjoining land by dam - subinverted
adjoining lands -

in sec 5 - 37, + 28 old Rudy property

3 Petit Bros. used water where treatment plants
located, (sec 22 Lorenz's Petit owned land
adjacent to Gillmor)

Dick Nebeker - Cone Ground (Sec 25)

Gillmor purchased from Henry Cone's (aives)

North point flume acrossed surplus
Canal (Gillmor was small boy when they worked on flume)

Arbach field (sec 15 North pt. Canal)

Gray place sec 18 T: W R 2 N
sec 13,

Gilmore Reputed from Gray sec 16, after
turn of Century,

not much farming on end of
North Pt, but water was spread out to
make water available.

Surplus Canal

Water use on Sec 3 — after turn of Century —
Canal gradually extended —

No water after Adamson's spring. when he was boy.

Gilmore Dined stock w North Pt. got stuck
about turn of Century

Atty. Moyle Lake front no irrigation
water was from Great Salt Lake
salt water came in from lake —
winter salt Co. filled these
ponds from north winds
forcing water to their ponds.

Jim Lee

Black Slough sec 25 - 1890. water used

Jermy Gun Club. (black Hawk)
north of the Reedy Slough - (gun club)
Jermy site

Joggin drain made

to west Brown bear drain.

1899. natural drainage to west and
to north (black slough) -

Surplus Canal water gradually
enlarged to present size -

Water Rights Gillmore's Claim. - Same as boys
claim.

Lake front Gun Club Was Salt Water
level in 1890's